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VIA OVERNIGHT MAIL

October 13, 2016

Mr. Darrell Nitschke
Executive Secretary
North Dakota Public Service Commission
600 East Boulevard Avenue, Twelfth Floor
Bismarck, ND 58505-0480

RE: FCC Form 481 ETC 2016 Annual Reports
FCC 47 CFR Sections 54.313 & 54.422 Local Rate Floor Data & Collection Filings
Application for Trade Secret Protection

Enclosed for filing on behalf of the North Dakota Eligible Telecommunications Carriers (“ETCs”) shown below is an Application for Protection of Information of confidential and proprietary information filed June 30, 2016 with the Federal Communications Commission’s ETC Annual Report FCC Form 481.

Consolidated Communications Networks, Inc.	Case No. PU-16-45
Daktel Communications LLC	Case No. PU-16-437

Please contact the undersigned if you have any questions.

Sincerely,

/s/ Marty Kluh

Marty Kluh
Authorized Representative for
North Dakota ETCs

Enclosure

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**STATE OF NORTH DAKOTA
BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of)	
Federal Communications Commission)	
FCC Form 481 ETC 2016 Annual Reports)	
)	
Consolidated Communications Networks, Inc.)	Case No. PU-16-45
Daktel Communications LLC)	Case No. PU-16-437

* * * *

APPLICATION FOR PROTECTION OF INFORMATION

The above-referenced North Dakota Eligible Telecommunications Carriers (“North Dakota ETCs” or “Companies”) respectfully move the Commission for entry of a protective order under § 69-02-09-01 of the North Dakota Administrative Code. The purpose of the requested protective order is to protect against public disclosure of trade secret information as defined by NDCC § 47-25.1-01(4).

1. A general description of the nature of the information sought to be protected.

The purpose of this application is to protect against public disclosure of sensitive and proprietary data pertaining to the broadband deployment locations in an attachment to the FCC Form 481 Eligible Telecommunications Carrier (“ETC”) reporting filed with this Commission in the above-referenced dockets pursuant to 47 C.F.R Sections 54.313 and 54.422 of Federal Communications Commission (“FCC”) rules. The FCC Rural Broadband Experiments Order requires that recipients file the FCC Form 481 ETC Annual Report to include broadband deployment locations which are contained in an

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attachment to the 2016 Report.¹ Protection is sought for the entirety of the FCC Form 481 Line 4004a attachment, broadband deployment locations.

2. Explanation of why the information derives independent economic value, actual or potential, from not being generally known to other persons.

Information contained in the Line 4004a attachment is confidential commercial information routinely withheld from public inspection. The information is of a competitive nature regarding the provision of telecommunications services and contains competitively sensitive information related to the Companies' network deployment.

3. An explanation of why the information is not readily ascertainable by proper means by other persons.

The North Dakota ETCs use the information contained in the deployment locations attachment to ensure that customers in the areas where it has received rural broadband experiment support will receive state-of-the-art high quality telecommunications and broadband services. The North Dakota ETCs protect the secrecy of this information with a security protocol that ensures the information is not inadvertently disclosed or disseminated. Only directors, managers and employees with a direct need to know are authorized to access the information.

¹ *Connect America et al.*, WC Docket Nos. 10-90 and 14-58, Report and Order and Further Notice of Proposed Rulemaking, 29 FCC Rcd 8769, 8778-79, 8787-88, paras. 78-80 (2014) (*Rural Broadband Experiments Order*).

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4. A general description of the persons or entities that would obtain economic value from disclosure or use of the information.

If the information is not protected, it would have economic value to potential competitors who would be able to target their marketing to specific customers. In a competitive telecommunications marketplace, this type of information is highly sensitive. If publicly disclosed, it would enable competitors to craft business plans that capitalize on their knowledge of the locations of the North Dakota ETCs' customers which would place the Companies at a competitive disadvantage.

5. A specific description of known competitors and competitors' goods and services that is pertinent to the filing.

Those persons or entities that could obtain economic value from the disclosure or use of the information are competitors or potential competitors which include wireless providers, cable television providers, competitive local exchange carriers, internet providers, and other local exchange carriers.

6. A description of the efforts used to maintain the secrecy of the information.

The confidentiality of the information has been maintained by the North Dakota ETCs. Access to the information is restricted to management-level employees and the employees who need to know the information to fulfill their responsibilities or to third persons pursuant to agreement to maintain the confidentiality of the information.

In accordance with § 69-02-09-02 of the North Dakota Administrative Code, one copy of the trade secret material was provided at the time of the June 30, 2016 filings in

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the above-referenced dockets sealed envelopes labeled: ATTACHMENT-1-TRADE
SECRET — PRIVATE.

Respectfully submitted on October 13, 2016.

JOHN STAURULAKIS, INC.

By: /s/ Marty Kluh

Marty Kluh
Manager-Regulatory Affairs

On behalf of

North Dakota ETCs